

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 XX, Closed Area No. 48, Thomas Bay, Bar Harbor, promulgated on August 22, 1989, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.04 XX, Closed Area No. 48, Thomas Bay, Bar Harbor.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Thomas Bay, Bar Harbor, inside and southerly of a line beginning at a red painted post located on a small unnamed point of land approximately 200 yards south of Blunts Point, and running southwesterly (about 300 yards) to a red painted post located on a small unnamed point of land about 400 yards southwesterly of Blunts Point.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: April 17, 1992

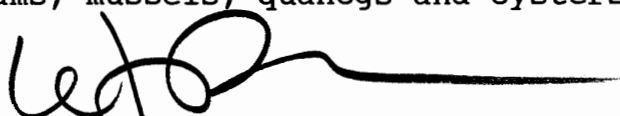
AGENCY CONTACT PERSON: Robert D. Lewis
Department of Marine Resources
State House Station #21
Augusta, ME 04333

BANGOR DAILY NEWS
April 21, 1992

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 XX, Closed Area No. 48, Thomas Bay, Bar Harbor, promulgated on August 22, 1989, and replaces it with a new regulation. This new regulation opens to shellfish harvest most of Thomas Bay. A small portion in the southwest corner of the bay (described below) will remain closed.

Department personnel have determined that the flats and waters inside and southerly of a line drawn from a red painted post at a small point of land approximately 200 yards south of Blunts Point, southwesterly (about 300 yards) to a red painted post located on a small unnamed point of land about 400 yards southwesterly of Blunts Point are subject to intermittent microbiological contamination and pose a threat to the public health. Consequently, the area is closed to the harvest of clams, mussels, quahogs and oysters.



WILLIAM J. BRENNAN
Commissioner

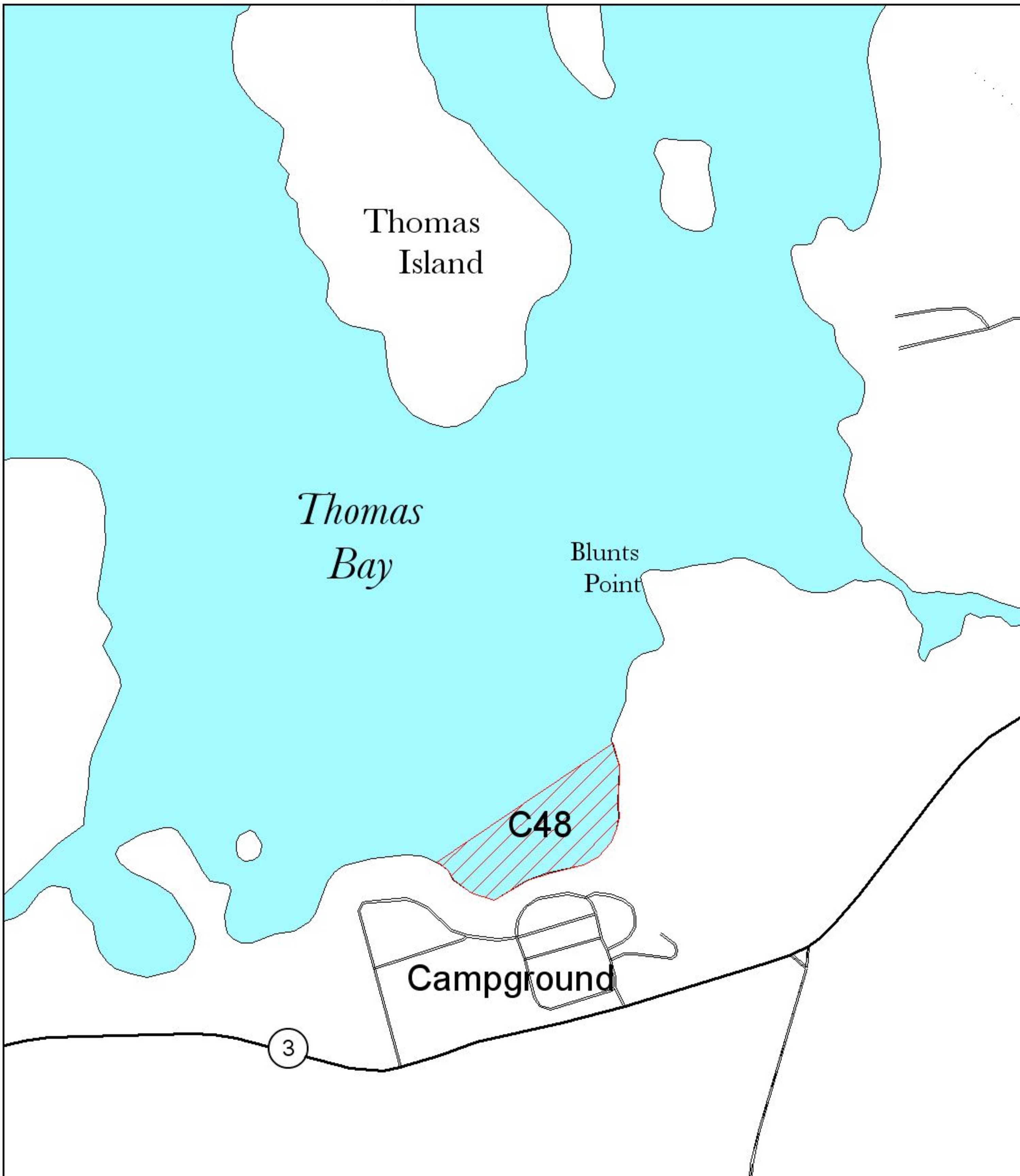


Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Bar Harbor

C48 - Thomas Bay, Bar Harbor 4/17/92



500 0 500 Yards